

**Suspend the Rules and Pass the Bill, H.R. 3961, With An Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3961

To amend the Wild and Scenic Rivers Act to designate segments of the Kissimmee River and its tributaries in the State of Florida for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 4, 2017

Mr. SOTO introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To amend the Wild and Scenic Rivers Act to designate segments of the Kissimmee River and its tributaries in the State of Florida for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Kissimmee River Wild  
5 and Scenic River Study Act of 2018”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The Kissimmee River has undergone, over  
4 the course of two decades, the largest river restora-  
5 tion effort in the world.

6 (2) Extending approximately 105 miles from  
7 Orlando to Lake Okeechobee, the Kissimmee River  
8 forms the headwaters of Lake Okeechobee and the  
9 Everglades and serves as a vital component of eco-  
10 system restoration in South Florida as a whole.

11 (3) The Kissimmee River Restoration Project  
12 has significantly improved approximately 63,000  
13 acres of wetlands within the Kissimmee River water-  
14 shed and reestablished an environment suitable for  
15 fish, wildlife, and the wetland plants that existed  
16 prior to the Kissimmee River's channelization in the  
17 1960s.

18 (4) The Kissimmee River Restoration Project is  
19 expected to be completed in 2020, at which point it  
20 is expected to reestablish historic hydrologic condi-  
21 tions, recreate historic river and floodplain  
22 connectivity, recreate the historic mosaic of wetland  
23 plant communities, and restore historic biological di-  
24 versity and functionality.

25 (5) After decades of restoration efforts and the  
26 expenditure of nearly a billion dollars, upon comple-

1       tion of the Kissimmee River Restoration Project, a  
2       study should be conducted to determine the eligi-  
3       bility of including the fully restored Kissimmee River  
4       into the National Wild and Scenic River program to  
5       preserve the fully restored free-flowing condition and  
6       immediate environment of the river for the benefit  
7       and enjoyment of present and future generations.

8               (6) Inclusion of the Kissimmee River into the  
9       National Wild and Scenic River program would be a  
10      fitting tribute to the hard work of the Army Corps  
11      of Engineers and the South Florida Water Manage-  
12      ment District's restoration work.

13   **SEC. 3. DESIGNATION FOR STUDY.**

14      (a) DESIGNATION FOR POTENTIAL ADDITION.—Sec-  
15      tion 5(a) of the Wild and Scenic Rivers Act (16 U.S.C.  
16      1276(a)) is amended by adding at the end the following:

17               “(\_\_\_\_) KISSIMMEE RIVER, FLORIDA.—The  
18      segment from the southern shore of Lake Kissimmee  
19      to its confluence with Lake Okeechobee.”.

20      (b) STUDY.—Section 5(b) of the Wild and Scenic Riv-  
21      ers Act (16 U.S.C. 1276(b)) is amended by adding at the  
22      end the following:

23               “(\_\_\_\_) KISSIMMEE RIVER, FLORIDA.—

24               “(A) IN GENERAL.—Not later than 3 years  
25      after the date on which funds are made avail-

1           able to carry out this paragraph, the Secretary  
2           of the Interior shall complete a study of the  
3           Kissimmee River, as described in subsection  
4           (a)(\_\_\_\_), and submit a report describing the  
5           results of such study to the Committee on Nat-  
6           ural Resources of the House of Representatives  
7           and the Committee on Energy and Natural Re-  
8           sources of the Senate.

9                   “(B) REPORT REQUIREMENTS.—The re-  
10           port required under subparagraph (A) shall—

11                           “(i) include a discussion of the effect  
12                           of the designation of the segment to be  
13                           studied under subsection (a)(\_\_\_\_) on—

14                                   “(I) existing commercial and rec-  
15                                   reational activities, such as cattle  
16                                   ranching, dairy production, hunting,  
17                                   fishing, trapping, recreational shoot-  
18                                   ing, motor boat use, or bridge con-  
19                                   struction;

20                                   “(II) the authorization, construc-  
21                                   tion, operation, maintenance, or im-  
22                                   provement of energy production and  
23                                   transmission infrastructure;

24                                   “(III) military operations; and

1                   “(IV) the authority of State and  
2 local governments to manage the ac-  
3 tivities described in subclauses (I) and  
4 (II); and

5                   “(ii) identify—

6                   “(I) all authorities that will au-  
7 thorize or require the Secretary of the  
8 Interior to influence local land use de-  
9 cisions (such as zoning) or place re-  
10 strictions on non-Federal land if the  
11 area studied under subsection  
12 (a)(\_\_\_\_) is designated under the  
13 Wild and Scenic Rivers Act;

14                   “(II) all authorities that the Sec-  
15 retary of the Interior may use to con-  
16 demn property if the area studied  
17 under subsection (a)(\_\_\_\_) is des-  
18 ignated under the Wild and Scenic  
19 Rivers Act; and

20                   “(III) all private property located  
21 in the area to be studied under sub-  
22 section (a)(\_\_\_\_).

23                   “(C) NONINTERFERENCE.—This study  
24 shall not interfere with the Kissimmee River  
25 Restoration Project authorized under section

1           101(8) of the Water Resources Development  
2           Act of 1992 (Public Law 102–580).”.

3           (c) NO NEGATIVE IMPACT.—Nothing authorized by  
4 this Act may negatively impact agricultural production in  
5 the Kissimmee River basin.

6           (d) NO EFFECT ON MANAGEMENT.—This Act and  
7 the amendments made by this Act shall not interfere with  
8 the current management of the area of the Kissimmee  
9 River described in section 5(a)(\_\_\_\_) of the Wild and Sce-  
10 nic Rivers Act, nor shall the fact that such area is listed  
11 for study under the Wild and Scenic Rivers Act (16 U.S.C.  
12 1271 et seq.) be used as justification for more restrictive  
13 management, such as wilderness or as a category of wild  
14 and scenic river, until Congress acts on the study rec-  
15 ommendations.